

any size, and even with identical precautions—were outright banned.

California was not alone. In Nevada, the Governor allowed gambling establishments to reopen in June, 2020. As thousands flooded into casinos along the Las Vegas strip, religious gatherings in Nevada remained strictly limited to 50 people. Likewise, in New York, houses of worship were explicitly singled out for worse treatment. In some areas, religious gatherings were restricted to only 10 people, while train stations, acupuncture facilities, and factories in that same area could allow entry to as many as they wished.

And I could go on. Again, and again, COVID lockdown rules left religious Americans on the outside looking in.

Despite several opportunities to overturn these clear, discriminatory restrictions, for most of 2020, the Supreme Court failed to intervene. In *South Bay v. Newsom*, five Justices—without explanation—declined to halt California's ban on all religious services. Likewise, in *Calvary Chapel v. Sisolak*, the Supreme Court left Nevada's discriminatory ban on houses of worship in place. And again, they did so without explanation.

The pandemic stretched on. Some States eased restrictions, allowing worshippers to gather. Others did not. During that time, countless weddings, baptisms, holy days, and, perhaps most heartbreakingly—funerals—were observed in isolation from family, friends, and community. Or not at all.

Finally, in November of last year—after over 8 months of lockdowns—a ray of light broke through. In *Roman Catholic Diocese v. Cuomo*, the Court held that “even in a pandemic, the Constitution cannot be put away and forgotten. [New York’s] restrictions . . . strike at the very heart of the First Amendment’s guarantee of religious liberty.” Subsequent decisions earlier this year resurrected the First Amendment’s robust protections of religious liberty. Just a few weeks ago, in *Tandon v. Newsom*, the Supreme Court resoundingly affirmed religious freedom, summarily rejecting California’s discriminatory restrictions. Thanks to God, the First Amendment lives.

It’s been a long road to get here. But we can’t ignore the lessons of the past 13 months. That’s why I offered an amendment to S.937, the COVID-19 Hate Crimes Act, which would require the Attorney General to create a report detailing the restrictions imposed on religious exercise imposed during the pandemic.

This amendment directs the Department of Justice to look into: first, whether governments applied the same rules to religious groups that they applied to similar nonreligious organizations and businesses, and, second, whether those restrictions complied with the First Amendment. The goal here is simple—we need to understand and remember how Americans in 2020 lost their religious freedoms in order to ensure that it never happens again.

NOTICE OF THE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To the Secretary of the Senate:

PN 124, the nomination of Chiquita Brooks-LaSure, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 ayes to 14 noes; and

In accordance with section 3, paragraph 1(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.”

EARTH DAY

Mr. CARDIN. Mr. President, today I rise to join my friends in celebrating Earth Day. Senator Gaylord Nelson began the tradition in 1970, making today the 51st celebration of Earth Day. While it is always important to set aside a day to pause and reflect on our relationship with the natural world, I consider this Earth Day one of the most important yet. As we begin to emerge from the chaos of the COVID-19 pandemic and reset our new “business as usual,” we are stepping into a new world, ripe with opportunity for progress on climate change with a more meaningful understanding of what it means to live in a global community. Our Nation and planet are at a crossroads in determining the future of our climate. With a new administration that understands the threat of climate change and the role of the United States as a global leader, we are at the precipice of bold action.

The scientific consensus is that climate change will have devastating and far-reaching impacts on the environment, public health, and national security, and we must mitigate and adapt. In 2018, the United Nations U.N. Intergovernmental Panel on Climate Change, IPCC found that if a concerted multilateral effort is not made to keep global temperatures from rising 1.5 degrees Celsius 2.7 degrees Fahrenheit by 2100, we will cross a tipping point and cause the worst damage by climate change. The scientific community has been sounding the alarm for years, which too many of our colleagues have chosen to ignore.

The ongoing COVID-19 pandemic highlighted the challenges and opportunities of our increasingly globalized world. More than ever, we are understanding how decisions governments, corporations, and individuals make have real-world impacts and consequences. Actions that affect our cli-

mate are no different. An understanding of our impact in determining our collective future will only help us in our pursuit of a healthier planet.

Fortunately, our communities have proven resilient and adaptable. Over the past year, Americans have been burdened with collective grief, fear, and uncertainty. Through it all, our Nation has demonstrated a grit and ingenuity unlike anything we have seen in generations. We saw parents step up as teachers, corporations pivot their business models to keep people safe, and an entire population of office workers transition to working from home. In terms of action on climate change, this flexibility proves that a departure from the status quo is not as unrealistic as we may have thought previously. In fact, a change from “business as usual” can have unforeseen benefits for our quality of life and our planet.

Equipped with the lessons learned from the COVID-19 pandemic, I am more confident than ever that our Nation is ready to commit to action on climate change in earnest. Additionally, the Biden administration is already pursuing an aggressive climate agenda by reversing President Trump’s shortsighted decisions and doubling down on President Obama’s environmental regulations. The Build Back Better agenda recognizes both the need to mitigate emissions and prepare for the impacts of climate change that are already harming our communities. A great and overdue need to update our Nation’s infrastructure provides an opportunity to address some of our society’s most insidious sources of pollution.

Emissions from passenger and freight transport makes up the largest proportion of our Nation’s total greenhouse gas emissions—nearly 30 percent. The Federal Government can and must work quickly to address climate change through transportation and infrastructure policy. As chair of the Transportation and Infrastructure Subcommittee of the Senate Environment and Public Works Committee, I am committed to ensuring that any legislation the committee considers addresses greenhouse gas emissions reductions in a meaningful way. In 2019, the Senate Committee on Environment and Public Works unanimously reported an innovative surface transportation reauthorization that indicates a genuine bipartisan interest in action on climate change. I am confident the newest iteration of this bill will be even more ambitious.

The imperative to address climate change through transportation and infrastructure is particularly important to Maryland, a highly developed, low-lying coastal State with aging public works systems, which makes it particularly vulnerable to the impacts of climate change. My constituents and future generations have a right to good air quality, water quality, and the resilience of infrastructure assets like